

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 31, 2006

DIVISION ONE

B175215 Vernel Shaw (Not for Publication)
 v.
 Universal Studios, Inc.

The judgment is affirmed with respect to Shaw's retaliation claim. The judgment is reversed with respect to Shaw's discrimination claim. Shaw shall recover his costs on appeal.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B186022 Michael Berlin (Not for Publication)
 v.
 Pacific Western Bank

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B187723 Los Angeles County, D.C.S. (Not for Publication)
v.
Precilla O.,
M.F.

The order is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B185017 People (Not for Publication)
v.
Morales

The judgment is modified to strike the section 12022, subdivision (a)(1) principal armed enhancement on count 3, to stay the sentence for robbery in count 3 pursuant to section 654, and to reflect a consecutive term of one year eight months for carjacking in count 2 and a total sentence of 16 years eight months. The trial court is directed to correct the minute order of sentencing to delete the reference to a section 12022, subdivision (a)(1) enhancement on count 1. The trial court is further directed to prepare a new abstract of judgment reflecting this correction as well as the modifications to the judgment set forth herein, and to forward the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

DIVISION THREE

B189544 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Laura C.

The order terminating parental rights is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B182901 Farm Raised Salmon Cases (Certified for Publication)

The judgment is affirmed. The defendants are entitled to recover their costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B188649 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Yolanda F.

The order from which Mother has appealed is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION FOUR

B184142 Moatazedi
 v.
 Bostajani

Filed order denying petition for rehearing.

B177455 Costanza
 v.
 Simon Equipment Co., Inc., et al.

Filed order denying petition for rehearing.

DIVISION FIVE

B190624 In re: Jeremiah F (Not for Publication)
 v.
 Los Angeles County, D.C.S.
 Shawn B.

The judgment is reversed.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

B190566 In re: Victor G. (Not for Publication)
 v.
 Los Angeles County, D.C.S.
 Jennifer G.

The judgment is reversed.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

August 31, 2006 (Continued)

DIVISION FIVE (Continued)

B187538 People (Not for Publication)
v.
Tiffany Mizrahi

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B187866 People (Not for Publication)
v.
Bennie C.

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION EIGHT

B183523 People (Not for Publication)
v.
Murry

Appellant's conviction is affirmed. The case is remanded for resentencing, in accordance with the views expressed herein.

Flier, J.

We concur: Cooper, P.J.
Boland, J.

August 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B182153 Hightower, (Certified for Publication)
v.
Roman catholic Bishop of Sacramento,

For the reasons set forth above, the judgment is affirmed. Respondent to recover its costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B174750 Larry D. Lyon, as Trustee, etc., (Not for Publication)
B178964 v.
Clifton C. Bearden, as Trustee, etc.,

The appeal is dismissed and the case is remanded for further proceedings that are consistent with this opinion. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B186645 People (Not for Publication)
v.
Morris

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

[illegible]

Probation condition 15 is modified to read, "Do not associate with anyone known to you to be a member of any gang. 'Gang' is defined by Penal Code section 186.22, subdivision (f)." Probation condition 15A is modified to read, "Do not participate in any type of activity known to you to be conducted by members of any gang or related to any gang. Do not wear clothing or insignia or obtain tattoos known to you to be related to any gang. 'Gang' is defined by Penal Code section 186.22, subdivision (f)." In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B185930 People (Not for Publication)
v.
Schmidt

The judgment is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.
Flier, J.

B187997 Ayala (Not for Publication)
v.
Los Angeles City College

The judgment (order of dismissal) is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

August 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B184108 People
v.
O'Rise

(Not for Publication)

The judgment is reversed and the cause remanded for sentencing on count 2. In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B179461 Aoyagi et al., (Not for Publication)
v.
Mancini & Associates et al.,

The judgment is affirmed. Respondents are entitled to costs.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B187939 People (Not for Publication)
v.
Douglas, Jr.,

The case is remanded to trial court for the court to correct the abstract of judgment to reflect a total four year term and forward a copy to the proper prison authorities. In all other respects the judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

August 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B186311 People (Not for Publication)
v.
Muhammad G.,

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B185906 People (Not for Publication)
v.
Jones

The order for reimbursement of probation costs is reversed.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.

B186925 People (Not for Publication)
v.
Cardenas

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

August 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B180513 People v. Foster (Not for Publication)

The judgment is reversed and the matter is remanded for retrial on the murder, attempted murder, and robbery charges only. Appellant's conviction for possession of a jailhouse shank is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.

B188376 People (Not for Publication)
v.
Velez

The judgment is modified to reflect a consecutive Penal code section 667, subdivision (a)(1) prior serious felony enhancement for count 2. In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.